



Local Government Commission

Mana Kāwanatanga ā Rohe

Determination
of representation arrangements to apply for the election of the
Otago Regional Council
to be held on 11 October 2025

Introduction

1. All regional councils are required under sections 19I of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years. Under Section 19R of the Act, the Commission, in addition to consideration of the appeals and objections against a council's final representation proposal, is required to determine all the matters set out in sections 19I which relate to the representation arrangements for regional councils.
2. Having completed its considerations, the Commission's determination upholds the Otago Regional Council's final representation proposal as set out below.

Commission's determination¹

3. In accordance with section 19R of the Local Electoral Act 2001, the Local Government Commission determines that for at least the triennial general election of the Otago Regional Council to be held on 11 October 2025, the following representation arrangements will apply:

Otago Region, as delineated on Plan LG-14-2025-Con-1 will be divided into 4 constituencies and will be represented by a Council comprising 12 councillors elected as follows:

Constituency	Councillors	Plan delineating area
Dunstan Constituency	4	SO 24251
Moeraki Constituency	1	SO 24250
Dunedin Constituency	5	LG-14-2025-Con-2
Molyneux Constituency	2	LG-14-2025-Con-3

¹Plans referred to in this determination that are preceded by LGC are deposited with the Local Government Commission. Plans preceded by SO are deposited with Land Information New Zealand.

4. The ratio of population to elected members for each constituency will be as follows:

Constituency	Population*	Number of members	Population per member	Deviation from region average population per member	% deviation from region average population per member
Dunstan	78,800	4	19,700	-1,517	-7.15
Moeraki	22,300	1	22,300	1,083	5.11
Dunedin	115,200	5	23,040	1,823	8.59
Molyneux	38,300	2	19,150	-2,067	-9.74
Total	254,600	12	21,217		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

5. As required by section 19U of the Local Electoral Act 2001, the boundaries of the above constituencies coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

Background

6. Under section 19I of the Local Electoral Act 2001 regional council representation reviews are to determine the number of councillors to be elected, and the boundaries and names of constituencies. Representation arrangements are to be determined so as to provide fair and effective representation for individuals and communities.
7. The Council last reviewed its representation arrangements prior to the 2019 local authority elections. Accordingly, it was required to undertake a review prior to the next elections in October 2025.

Current representation arrangements

8. The Commission last made a determination in relation to the Otago Regional Council's representation in 2012. There were no appeals in respect of that review but the Commission was required to consider the non-compliance of the Dunstan and Moeraki constituencies with the +/-10% rule. The Council's most recent review was carried out in 2018. The sole change made during that review was the alignment of the boundary between the Dunedin and Molyneux constituencies with community board boundaries. The Council's current representation arrangements arising out of the 2018 review are as follows:

Constituencies	Population*	Number of members	Population per member	Deviation from region average population per member	% deviation from region average population per member
Dunstan	78,800	3	26,267	5,050	23.80
Moeraki	22,300	1	22,300	1,083	5.11
Dunedin	115,200	6	19,200	-2,017	-9.51
Molyneux	38,300	2	19,150	-2,067	-9.74
Total	254,600	12	21,217		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

Current review

Preliminary consultation

9. The Council undertook preliminary engagement for its representation review in February 2024. It sought the views of the territorial authorities of the region and of rūnaka. It also carried out an online community survey through which it received 64 responses.
10. A key theme in the responses from the online survey was the population growth in the Whakatipu and Wanaka areas and the desire for additional representation for those areas.
11. The Council also held a series of workshops for councillors, the last of which considered the information gained from the engagement and several options for representation arrangements. Consideration was given to:
 - The current constituencies, but with the transfer of 1 member from the Dunedin Constituency to the Dunstan Constituency or alternatively increasing the total number of members to 13.
 - The creation of an “Upper Lakes” Constituency comprising Queenstown-Lakes District and the Cromwell Ward of Central Otago District.
 - The creation of a Whakatipu Constituency comprising the Queenstown-Whakatipu and Arrowtown-Kawarau wards of Queenstown-Lakes District.
 - The appropriate constituency for the Mosgiel-Taieri and Strath Taieri community board areas and for the Teviot Ward of Central Otago District.
12. Within these arrangements different total numbers of members were considered.

The Council's initial proposal

13. On 26 June 2024 the Council resolved its initial representation proposal for a council comprising 12 members elected from 4 constituencies. The sole change to the current arrangements were a decrease by 1 in the number members elected from the Dunedin Constituency and an increase of 1 in the number of members elected from the Dunstan Constituency.
14. The initial proposed constituency arrangements were as follows:

Constituencies	Population*	Number of members	Population per member	Deviation from region average population per member	% deviation from region average population per member
Dunstan	78,800	4	19,700	-1,517	-7.15
Moeraki	22,300	1	22,300	1,083	5.11
Dunedin	115,200	5	23,040	1,823	8.59
Molyneux	38,300	2	19,150	-2,067	-9.74
Total	254,600	12	21,217		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

Submissions

15. The Council notified its initial representation proposal on 10 June 2025 and received 165 submissions by the deadline of 8 September 2025.
16. Key themes in the submissions were:
- Support for a fifth, Upper Lakes Constituency
 - Support for the Dunedin Constituency retaining 6 members, with Mosgiel-Taieri community board area being included in the Dunedin Constituency rather than the Molyneux Constituency.
 - Increasing the total number of members on the Council by 1 so that the Dunedin Constituency could retain 6 members and the Dunstan Constituency could gain an additional member.
17. At a meeting on 23 October 2024 the Council adopted its initial proposal as its final representation proposal.

The Council's final proposal

18. The Council publicly notified its final proposal on 30 October 2024. Two appeals against the Council's proposal were received, from the Dunedin City Council and the Queenstown-Lakes District Council.

Appeals against the Council's final proposal

19. The Council referred the appeals to the Commission, in accordance with section 19Q of the Act.
20. The appeal from the Dunedin City Council seeks the following:
 - Retention of 6 members for the Dunedin Constituency.
 - The transfer of the Mosgiel-Taieri and Strath Taieri community board areas (both part of Dunedin City) from the Molyneux Constituency to the Dunedin Constituency.
 - An increase in the total number of members on the Council from 12 to 13.
21. The Queenstown-Lakes District Council's appeal seeks a division of the Dunstan Constituency into two constituencies as follows:
 - An "Upper Lakes" Constituency comprising Queenstown-Lakes District and the Cromwell Ward of Central Otago District.
 - A constituency comprising the remainder of Central Otago District – the Alexandra, Teviot Valley and Maniototo wards.

Hearing

22. For the purpose of making a determination, the Commission may make such enquiries as it considers appropriate and may hold meetings with the interested parties. The Commission is not limited to holding a hearing purely in response to appeals or objections. Rather, the need for a hearing is determined by the information provided by the relevant parties and as a result of any further inquiries the Commission may wish to make.
23. In the case of Otago Regional Council's final proposal, the Commission considered it appropriate to further explore the matters to be determined. Accordingly, the Commission decided that a hearing was required.
24. The Commission met with the Council and both appellants at a hearing held online on 4 March 2025. The Council was represented at the hearing by Council Chair, Gretchen Robertson, Chief Executive, Richard Saunders and General Manager Strategy and Customer, Amanda Vercoe. Stephn Hill from electionz.com was also present to assist the Council.
25. The following appellants appeared at the hearing:
 - a. Dunedin City Council represented by Deputy Mayor, Cherry Lucas.
 - b. Queenstown-Lakes District Council represented by Mayor, Glyn Lewers.

Matters raised at the hearing

26. Chair Gretchen Robertson explained the process the Council had followed in carrying out its representation review and reaching its final proposal. She emphasised the following points:

- Prior to the representation review the Council had resolved to adopt the STV electoral system.
- A key consideration in the review was the large population growth in the Dunstan Constituency, and this population growth has created some challenging issues.
- Many of the issues dealt with by the Council are rurally based, but urban population and representation dominates; it is critical for the regional council for there to be adequate rural representation.
- Retention of the Dunstan Constituency as it retains alignment with territorial authority boundaries.
- Population growth in the Dunstan Constituency has been acknowledged by the allocation of an additional member to that constituency.
- Mosgiel-Taieri includes rural interests which aligns Mosgiel and Balclutha as rural support centres.
- Otago Regional Council-run flood and drainage assets create a community of interest between Mosgiel and Taieri, and there are similar water management issues over the lower Clutha River and the lower Taieri River.
- Two councillors for the Molyneux Constituency enables rural communities of interest to be represented fairly and effectively; conversely one councillor could impact the ability for communities to be represented fairly and effectively.
- The regional council has been working hard to strengthen relationships with territorial authorities and communities. In this regard:
 - It has held meetings with the community on the Taieri Plans, including with Councillor Lucas, and had established a community liaison group with members elected from the community.
 - It had joint working groups with Dunedin City Council and Queenstown-Lakes District Council on public transport issues.
- A fifth, Upper Lakes Constituency did not comply with the +/-10% rule.
- By the time of the next representation review, population statistics will likely support a fifth constituency.

- The change in the Local Government Act allowing remote attendance of meetings to count for the quorum and voting, and the STV electoral system should increase the number of people interested in standing for election and therefore improve representation for the Upper Lakes area.
- The Council considered that given the relatively compact size and form of the Dunedin Constituency its representation needs can be effectively supported by 5 elected members.

27. The appellants appearing at the hearing raised the following points in opposition to the Council's proposal:

Deputy Mayor, Cherry Lucas on behalf of the Dunedin City Council made the following points:

- The reduction in members representing the Dunedin Constituency would lead to a loss in advocacy for the constituency, particularly in relation to public transport issues.
- The high population growth in the region should be addressed now, and the allocation of an additional member to the Dunstan Constituency was supported, but an additional member on the Council is justified.
- Inclusion of Mosgiel-Taieri in the Molyneux Constituency is an historical anomaly.
- Inclusion of Mosgiel-Taieri in the Dunedin Constituency would better meet the requirements of section 19U of the Act.
- Residents of Mosgiel-Taieri and Strath Taieri vote for the Dunedin City Council and have 2 community boards supported by the Dunedin City Council.
- Mosgiel-Taieri and Strath Taieri's employment, educational links and public transport links are with Dunedin City; no such links exist with centres in Clutha District.
- Although the area is predominantly rural, the population is predominantly urban.
- Exclusion of Mosgiel-Taieri and Strath Taieri from the Molyneux Constituency would reduce the area of that constituency and make it easier to represent.

Mayor, Glyn Lewers on behalf of Queenstown-Lakes District Council stated that:

- Otago Region's constituencies have not changed since 1998 but in that time there has been significant change, e.g. high population growth in some areas and the nature of issues being dealt with.
- The current Dunstan Constituency comprises very diverse communities of interest, ranging from rapidly growing urban populations to isolated rural communities.

- The issues facing those diverse communities differ widely.
- There are strong similarities between Queenstown-Lakes District and Cromwell as evidenced by high growth, shared issues (such as public transport and freshwater management) and similar demographic characteristics (mean household income and average age were cited).
- Those issues distinguished Cromwell from the rest of Central Otago District which has different characteristics.
- An Upper Lakes Constituency would be compliant with the +/-10% rule.
- A non-compliant Dunstan Constituency would meet the rules for an exception to the +/-10% rule as it includes isolated communities.
- A residual Dunstan Constituency with a smaller population would be easier for an elected member to service and give focus to.

Matters for determination by the Commission

28. Section 19R of the Act makes it clear that the Commission, in addition to consideration of the appeals and objections, is required to determine all the matters set out in section 19I of the Act, which relates to the representation arrangements for regional authorities. This interpretation was reinforced by a 2004 High Court decision which found that the Commission's role is not merely supervisory of a local authority's representation arrangements decision. The Commission is required to form its own view on all the matters which are in scope of the review.
29. The matters in the scope of the review are:
- a. The number, boundaries and names of the proposed constituencies.
 - b. The proposed number of councillors for each constituency.
 - c. Whether constituencies may be defined and membership distributed between them in a way that does not comply with the +/-10% rule.
30. Appeals to the Council's final proposal raise the following overarching issues for the Commission to resolve:
- a. Does effective representation of the Dunedin Constituency require 6 rather than 5 members?
 - b. Section 19U(b) of the Act provides that "so far as is practicable, constituency boundaries coincide with the boundaries of 1 or more territorial authority districts or the boundaries of wards". Should this be applied to the Mosgiel-Taieri and Strath Taieri areas to bring them within the Dunedin Constituency?
 - c. Does effective representation of the Upper Lakes area require a separate constituency?

- d. How would the establishment of such a constituency affect effective representation of the remainder of the Dunstan Constituency?
- e. As the solutions sought in appeals do not comply with the +/-10% rule, is there a case for applying section 19V(3)(b), which permits non-compliance if required for the effective representation of communities of interest?

Key considerations

31. Based on the legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* (the Guidelines) identify the following three key factors when considering representation proposals:

- Communities of interest.
- Effective representation of communities of interest.
- Fair representation for electors.

Communities of interest

32. The Guidelines identify three dimensions for recognising communities of interest:

- a. *Perceptual*: a sense of identity and belonging to a defined area or locality as a result of factors such as distinctive geographical features, local history, demographics, economic and social activities.
- b. *Functional*: ability of the area to meet the needs of communities for services such as local schools, shopping areas, community and recreational facilities, employment, transport and communication links.
- c. *Political*: ability to represent the interests of local communities which includes non-council structures such as for local iwi and hapū, residents and ratepayer associations and the range of special interest groups.

33. All three dimensions are important and often interlinked. We note however, that there is often a focus on the perceptual dimension. That is, what councils, communities or individuals intuitively feel are communities of interest. It is not enough to simply state that a community of interest exists because it is felt that it exists; councils must provide evidence of how a sense of identity is reinforced, or how a community is distinct from neighbouring communities. Such evidence may be found by considering, for example:

- How communities rely on different services and facilities to function as part of the wider district, city or region.
- Demographic characteristics of an area (for example age, ethnicity or deprivation profiles) and how these differ from other areas.
- How particular communities organise themselves and interact with others as part of the wider district, city or region.

34. The Otago Region has had the same four constituencies since 1998. The only significant changes in that time have been the transfer, in 2007, of the former Waikouaiti Coast Ward of Dunedin City from the Moeraki Constituency to the Dunedin Constituency, and the realignment, in 2019, of the boundary between the Dunedin and Molyneux constituencies with the boundary between the Mosgiel-Taieri and Saddle Hill communities. Prior to 1998, the area of the current Dunedin Constituency had been divided into two constituencies.
35. Being largely based on the boundaries of territorial authority districts the constituency boundaries reflect the communities of interest that make up those districts. The appeals question whether, in two cases, the current constituencies best reflect communities of interest and whether they will provide the most effective representation of communities of interest.

Fair and effective representation

36. Section 19V of the Act sets out the requirement for the Commission to ensure that electors receive fair representation. Section 19V(2) establishes fair representation as a population per member ratio per constituency that does not differ by more than 10% across the region. This is also referred to as 'the +/- 10% rule'.
37. The Council's proposal for a council comprising 12 councillors elected from 4 constituencies, complies with the rule.
38. If the Commission upholds the appeals, either separately or in combination with each other, it will be required to consider the non-compliance of some constituencies.
39. Section 19U of the Act requires the Commission to ensure that:
- a. The number and boundaries of constituencies will provide effective representation of communities of interest within the region.
 - b. Constituency boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes.
 - c. So far as practicable, constituency boundaries coincide with the boundaries of one or more territorial authority districts or boundaries of wards.
40. 'Effective representation' is not defined in the Act. The Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered:
- a. Avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area.
 - b. Not splitting recognised communities of interest between electoral subdivisions.
 - c. Not grouping together two or more communities of interest that share few commonalities of interest.

- d. Accessibility, size and configuration of an area including access to elected members and vice versa.
41. The Guidelines suggest that local authorities consider the total number of members, or a range in the number of members, necessary to provide effective representation for the region as a whole. In other words, the total number of members should not be arrived at solely as the product of the number of members per constituency.
42. Section 19D of the Act provides that regional councils shall consist of between six and 14 members. The Council has comprised 12 councillors since 2013 and 11 in the years immediately prior to that.

The Dunedin City Council's appeal

43. The appeal from the Dunedin City Council seeks:
 - Retention of 6 members for the Dunedin Constituency.
 - The transfer of the Mosgiel-Taieri and Strath Taieri community board areas (both part of Dunedin City) from the Molyneux Constituency to the Dunedin Constituency (leaving the Molyneux Constituency solely comprising Clutha District).
 - An increase in the total number of members on the Council from 12 to 13.
44. This would result in the following:

Ward	Population	Number of councillors	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Dunstan	78,800	4	19,700	117	0.60
Moeraki	22,300	1	22,300	2,717	13.87
Dunedin	134,600	6	22,433	2,850	14.55
Molyneux	18,880	2	9,440	-10,143	-51.80
Total	254,580	13	19,583		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

45. In seeking the retention of 6 councillors for the Dunedin Constituency, the Dunedin City Council does not oppose the allocation of an additional member for the Dunstan Constituency. Instead, it argues that this should not come at the expense of the Dunedin constituency, hence the request for an increase in the total number of councillors from 12 to 13.
46. The City Council's appeal goes into some detail about why the Mosgiel-Taieri and Strath Taieri areas should be included in the Dunedin Constituency. Arguments made in the appeal include:

- While part of the Mosgiel-Taieri areas is rural, it has a predominantly large and increasingly urban population and has had the biggest residential growth in Dunedin in recent years.
- That Mosgiel-Taieri in particular, and Strath Taieri to a lesser extent, have a clear sense of belonging to Dunedin City, with strong employment and educational links.
- Mosgiel and Middelmarsh are fully serviced from Dunedin City, with water infrastructure, roading and recreational facilities, along with a new pool in Mosgiel and public transport linkages.
- That Mosgiel-Taieri does not have a strong community of interest with Balclutha, the other main centre in the Molyneux Constituency (and located in Clutha District), there being no shared services between the two. While both areas have flood and drainage schemes provided by the Otago Regional Council there are no shared schemes between the two areas. It is not accepted that flood and drainage assets create a community of interest between Mosgiel and Taieri as these will be common issues across the whole region.

47. The Otago Regional Council's reasonings for its decisions on the appropriate constituency for these areas are as follows.

48. In relation to leaving the total number of members of the council at 12 and the number of councillors elected from the Dunedin Constituency at 5, the Council said during deliberation on submissions that:

Council considered that given the relatively compact size and form of the Dunedin City area, the representation needs of the community can be effectively supported by five elected members, so the total number of members does not need to shift.

49. In relation to which constituency Mosgiel-Taieri and Strath Taieri should be located in, it said:

- *While there are communities of interest in common with Dunedin for Mosgiel-Taieri, Mosgiel-Taieri also includes rural interests, with sheep and beef farming and dairy farming, along with other rural activities which aligns Mosgiel and Balclutha as rural support centres.*
- *The regional council operated flood and drainage assets create a community of interest between Mosgiel and Balclutha. While the schemes aren't physically connected there are common issues to manage and respond to, for example in the recent floods one of the comments that has been made was that the response communications were too focussed on Dunedin, rather than the Taieri and Clutha areas.*

- *As above, it is critical for a regional council to have adequate rural representation, as rural communities of interest need to be fairly and effectively represented. Otago's population distribution doesn't easily allow for this. Moving the Mosgiel-Taieri area into Dunedin would leave only one councillor to represent the Molyneux area, which is a large geographic footprint to cover and could impact the ability of those communities of interest to be represented fairly and effectively.*
- *To remain within the legislated +/- 10% rule, the Strath-Taieri community board would need to remain in the Molyneux constituency, which means the concern about moving back to the Dunedin City Council boundary for the Dunedin constituency would be impacted.*

50. In its submission on the initial proposal the Clutha District Council stated, in support of the current arrangements, that:

- *The Molyneux Constituency includes both rural areas and associated townships with sheep, beef and dairy farming along with other rural activities and rural support centres like Balclutha and Mosgiel with common social or economic interests that should be included within a single constituency for purposes of fair and effective representation.*
- *The Molyneux Constituency is spread over a large geographic area and retaining two representatives provides fair and effective representation.*
- *The Molyneux Constituency includes activities for ORC related to flood and drainage assets, the management of which is critical to wellbeing of the people of the Molyneux Constituency.*

51. As can be seen in the table in paragraph 44, retaining 2 members for a smaller Molyneux Constituency (without Mosgiel-Taieri and Strath Taieri) as proposed by the Dunedin City Council appeal, results in non-compliance for 3 constituencies, in particular the Molyneux Constituency at -51.80%. Reducing to 1 the number of councillors to be elected from a smaller Molyneux Constituency results in an almost compliant arrangement, although the Molyneux Constituency itself would be slightly non-compliant.

Ward	Population estimate*	Number of councillors	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Dunstan	78,800	4	19,700	-1,515	-7.14
Moeraki	22,300	1	22,300	1,085	5.11
Dunedin	134,600	6	22,433	1,218	5.74
Molyneux	18,880	1	18,880	-2,335	-11.01
Total	254,580	12	19,583		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

52. As noted in the hearing, the Mosgiel-Taieri and Strath Taieri areas have been in the Molyneux Constituency since 1989. It has been suggested that this was done to “make up the numbers” and is an historical anomaly. At this point in time we are not able to exactly determine the actual origins of this situation. The Commission’s draft reorganisation scheme for the Otago Region issued in 1988 does, however, refer to general policies held by the then Commission that membership be allocated according to the proportion of regional population in a constituency, and also that no constituency have more than 4 members.
53. In the current review, the arguments seem to us to be:
- On the one hand, Mosgiel-Taieri and Strath Taieri have a community of interest with the remainder of Dunedin City, and a lack of community of interest with Clutha District.
 - On the other hand, that the rural nature of much of Mosgiel-Taieri and Strath Taieri, and that the regional council’s flood protection activities in the Taieri Plains, creates a commonality of interest with the lower Clutha Valley.
54. Additional arguments made by the regional council were that a 1 member Molyneux Constituency would not receive effective representation, and that more generally it is important for the regional council that there be an effective rural voice. Conversely, the Dunedin City Council argued that a geographically smaller Molyneux Constituency would be easier to represent (although the geographic area would not be halved in line with the number of members representing the constituency).
55. The regional council’s arguments were supported by the Clutha District Council’s submission on the regional council’s initial proposal.
56. As far as the two arguments set out above are concerned, we can see merit in both points of view.
57. Although we acknowledge the Dunedin City Council’s arguments, we do not detect a groundswell seeking the change sought. In the regional council’s preliminary engagement, the Mosgiel-Taieri and Strath Taieri issue was raised in 3 responses. In submissions on the initial proposal, it was raised in one submission in addition to the Dunedin City Council’s. We do not wish to diminish the arguments raised, however we are reluctant to make a change with significant flow-on affects for the overall representation arrangements without a wider set of views.
58. It is suggested by the Dunedin City Council that the loss of a member for the Dunedin Constituency would detract from the level of advocacy that could be provided for Dunedin City. Public transport was cited as a particular issue where advocacy might become less effective. We are not convinced by this argument. Five members out of a total of 12 members is still a sizeable proportion of the Council, and five members should be able to advocate and put forward a point of view to the Council.

59. In addition, elected members when taking office, make a declaration that they will perform their duties in the best interests of the region and we are sure that the members of the regional council endeavour to do so when carrying out their duties. Each member will make decisions according to their judgement based on the information they have before them, and on their experience. This does not supplant the need for representation of separate communities, but it does, when working well, help ensure that wider perspectives are taken into account.
60. Accordingly, we uphold the regional council's proposal in relation to the Dunedin Constituency.

The Queenstown-Lakes District Council's appeal

61. The Queenstown-Lakes District Council seeks a division of the Dunstan Constituency into two constituencies as follows:
- An "Upper Lakes" Constituency comprising Queenstown-Lakes District and the Cromwell Ward of Central Otago District.
 - A constituency comprising the remainder of Central Otago District – the Alexandra, Teviot Valley and Maniototo wards.
62. The appeal does not propose a specific number of councillors to represent an Upper Lakes Constituency. Rather it requests the constituency elects a number of councillors to "fairly, effectively and proportionately represent the growing population of the area". However, Queenstown-Lakes District Council's submission on the initial proposal, and the Mayor at the hearing, both suggested the allocation of 3 councillors to an Upper Lakes Constituency. This results in compliance for that constituency, however this leaves the residual Dunstan Constituency, with 1 member, non-compliant at -26.80%. The overall arrangements would be as set out below:

Ward	Population estimate*	Number of councillors	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Upper Lakes	63,400	3	21,133	-95	-0.45
Dunstan	15,540	1	15,540	-5,688	-26.80
Moeraki	22,300	1	22,300	1,072	5.05
Dunedin	115,200	5	23,040	1,812	8.53
Molyneux	38,300	2	19,150	-2,078	-9.79
Total	254,740	12	21,228		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

63. The Queenstown-Lakes District Council's key arguments for its proposal are set out in its submission on the Otago Regional Council's initial representation proposal. The broad set of arguments in that submission supporting an Upper Lakes Constituency are that Queenstown-Lakes District has high population growth and a significant number of development issues, representation arrangements need to reflect that growth, and more specifically that the geographic scale of the existing Dunstan Constituency creates too many divergent needs to consider the whole population as one community of interest.
64. The appeal tackles two specific issues:
- Otago Regional Council's claim that a new "Upper Lakes" constituency does not work statistically without Cromwell and working outside of territorial authority boundaries is challenging.
 - Otago Regional Council's claim that it is critical that it can maintain rural representation and that a large geographic footprint of a remaining split Dunstan would impact the ability to represent communities of interest.
65. The Queenstown-Lakes District Council counters these. Briefly the arguments included in the appeal are that:
- Cromwell Ward has a number of shared issues and linkages with Queenstown-Lakes District, compared to the remainder of Central Otago District.
 - It is open to the Commission to permit the inclusion of the Cromwell Ward in an Upper Lakes Constituency as is permitted by section 19U(c) of the Act which permits constituency boundaries based on ward boundaries.
 - Non-compliance for the residual Dunstan Constituency is permitted through the exception in the Act relating to effective representation.
 - The challenge of rural access to elected members (which is lessened through modern technology and improved internet connectivity) should not outweigh the importance of recognising communities of interest with genuine commonalities.
66. The Otago Regional Council said during deliberation on submissions, that:
- *Council felt that by the time of the next representation review, the population data will likely support a 5th Upper Lakes constituency.*
 - *Based on current population data, the case for a fifth constituency does not meet the legislative guidelines (Section 19U(c) of the Local Electoral Act), as Cromwell would need to be included, which means breaking up the existing Central Otago District Council and Queenstown Lakes District Council boundaries. Retaining alignment with the territorial boundaries of Queenstown Lakes District and Central Otago District maintains the integrity of perceptual, functional and political dimensions.*

- *It is also critical for a regional council to have adequate rural representation, as rural communities of interest need to be fairly and effectively represented. Otago's population distribution doesn't easily allow for this. The creation of an Upper Lakes constituency would leave only one councillor to represent the remaining Dunstan area, which is a large geographic footprint to cover which could impact the ability of those communities of interest to be represented fairly and effectively.*
- *Council felt that the addition of 1 councillor, to increase representation to 4 councillors for the Dunstan constituency as proposed in the initial proposal, along with the legislative change to the Local Government Act which allows remote attendees to meetings to count for quorum and voting, and the ORC's shift to Single Transferable Vote together should increase the number of people interested in standing for the next election, and therefore representation for the Upper Lakes areas.*

67. In its submission on the initial proposal the Central Otago District Council stated that:

- *The Central Otago District Council also endorses the decision to leave the constituency boundaries unchanged at this time as we believe they have correctly reflected the communities of interest for a very long time now.*
- *In terms of the environment, being the primary focus of the Regional Council, there is little difference across the current ward. We also contain the catchments for many interlinked rivers and lakes, any proposal to obtain claimed better electoral outcomes ignores this environmental reality and would amount, in our view, to gerrymandering.*
- *Regional Councillors take an oath to serve the entire region; making the size of their [constituency] an irrelevancy in our view.*

68. Under the Queenstown-Lakes District Council's proposal the residual Dunstan Constituency would be non-compliant at -26.80%. The Act permits non-compliance where it is necessary to ensure effective representation of communities of interest. The Queenstown-Lakes District Council argues that non-compliance is justified in this case.

69. The population growth in the Dunstan Constituency, and specifically in Queenstown-Lakes District is acknowledged. This is the reason the regional council proposes to allocate an additional member to the Dunstan Constituency.

70. We also acknowledge Mayor Lewers' arguments about the linkages and communities shared by Queenstown-Lakes and Cromwell. Based on the information he provided to us, we agree they are real.

71. We have some qualms however, about creating a non-complaint constituency (the residual Dunstan Constituency) to provide the remainder of the constituency with separate representation. We also have qualms about whether the residual Dunstan Constituency would receive more effective representation through electing 1 member compared to the current 4 members.

72. We then look at the opportunity for the currently configured Dunstan Constituency to provide effective representation for communities of interest.
73. In the hearing we heard views put forward about better advocacy for particular issues that would result from the changes proposed by the Queenstown-Lakes District Council. However, we did not receive information that the current constituency arrangements do not result in adequate advocacy.
74. We understand that the current members representing the Dunstan Constituency live in Queenstown, Cromwell and rural Alexandra. To us that seems a reasonable distribution. There is of course no guarantee that this situation would be replicated after another election, however, that is the current situation.
75. Additionally, the STV electoral system, which will be used by the Otago Regional Council for the first time at the 2025 local elections, provides an opportunity for sizeable sectors of a constituency (such as electors of the Queenstown-Lakes District) to achieve representation. A 4-member constituency enhances the chance of that happening (compared to a constituency electing a lesser number of members).
76. Accordingly, we uphold the regional council's proposal in relation to the Dunstan Constituency.
77. In conjunction with this decision, to ensure the benefits of STV can be maximised and well understood by potential candidates, the Commission recommends that the Council considers providing STV education in the lead up to the Council elections, including to candidates. In this regard, see the Electoral Reform Society's "Single Transferrable Vote" page at [Single Transferable Vote – Electoral Reform Society – ERS](#) and the publication "[Campaigning under the Single Transferrable Vote](#)".
78. We also have a residual observation which we wish to make. The projected population growth in Queenstown-Lakes District means there is a risk an Upper Lakes Constituency will have to be a temporary arrangement and that eventually a constituency comprising solely Queenstown-Lakes District will be statistically viable. If that occurs it is likely that a residual Dunstan Constituency (including the Cromwell Ward) will either be compliant or, at least, less non-compliant than would currently be the case. Although representation arrangements must be reviewed at least 6-yearly we consider that frequent change detracts from public understanding of the representation system, and how electors relate to it.

Commission recommendations

79. Notwithstanding the decisions above, we consider that the region's population growth and its distribution is an issue the Council needs to actively monitor from a representation point of view.
80. The Commission therefore recommends that the regional council:
- Gives consideration in 2027, as to whether up-to-date population statistics available at that time justify a further representation review.

- As part of that consideration:
 - Engage with territorial authorities about what they consider the best representation arrangements to be.
 - Consider the impact of the STV electoral system on the nature of representation provided through the 2025 local elections under the constituency arrangements applying at that election.

Conclusion

81. We have made this determination pursuant to section 19R of the Local Electoral Act 2001 having considered the information before the Commission and the requirements of section 19U and 19V of the Act.

Local Government Commission²

Commissioner Brendan Duffy (Chair)

Commissioner Bonita Bigham

Temporary Commissioner Gwen Bull

31 March 2025

² Commissioner Sue Bidrose declared an interest and did not participate in the Commission's determination